



**Liquor and Tobacco Advisory Board Agenda
Tuesday, April 19, 2022
6:00 P.M. – City Council Chambers, 2nd floor, City Hall
425 East State Street
Rockford, IL 61104
779-348-7423**

Present:

ZBA Members:

Dan Roszkowski
Jennifer Smith
Kim Johnsen
Jennifer Spencer

Absent:

Tom Fabiano
Craig Sockwell
Maurice Redd

Staff:

Megan McNeill - Assistant City Attorney
Darius Morrow - Land Use Planner
Scott Capovilla - Planning and Zoning Manager
Mike Rotolo - Fire Prevention Coordinator
Jeremy Carter - Traffic Engineer

Others:

Camille Connell - Court Stenographer
Alderman Tuffy Quinonez
Alderman Aprel Prunty
Applicants and Interested Parties

Scott Capovilla, Planning & Zoning Manager, explained the format of the meeting will follow the Boards Rules of Procedure generally outlined as follows:

- The Chair will call the address of the application.
- The Applicant or representative will be unmuted and be sworn in.
- The Applicant or representative will present their request to the Board.
- The Board will ask any questions they may have regarding this application.
- The Chairman will then ask if there are any Objectors or Interested Parties present at City Hall. Objectors or Interested Parties are to come forward at that time, be sworn in by the Chairman, and give their name to the Liquor and Tobacco Advisory Board secretary and the stenographer.
- The Objector or Interested Party will state their name and present all their concerns, objections and questions regarding the application.
- The Board will ask any questions they may have of the Objector or Interested Party.
- The Applicant will have an opportunity to rebut the concerns/questions raised.
- Interested party at City hall will have another opportunity to provide any additional follow up based on the Applicant's responses.

- The Board will then deliberate and a roll call vote will be taken.

The LTAB meeting is not a final vote on any item. However, it is the only time in which the public may participate. After the LTAB meeting, the item moves on to the Code & Regulation Committee. Although the public is invited to attend the meeting, public input is not allowed at the committee meeting. The date of the Code & Regulation meeting will be Monday, April 25, 2022, at 5:30 PM in City Council Chambers (2nd floor of City Hall) as the second vote on these items. The third and final meeting in this process is the City Council. That vote is tentatively scheduled on Monday, May 2, 2022. If the item is laid over at the LTAB meeting, the next meeting is Tuesday, May 17, 2022. If for any reason the item is laid over at the committee level or on the City Council floor, the item is automatically laid over for two (2) weeks.

The meeting was called to order at 6:02 PM. A **MOTION** was made by Jennifer Smith to **APPROVE** the March 15, 2022 meeting minutes. The motion was **SECONDED** by Jennifer Spencer and **CARRIED** by a vote of 4-0.

22-LTAB-007

Applicant
Ward 6

3015, 3017 and 30XX Kishwaukee Street

Thomas McDonald/Grant Park Tavern, Inc. dba Grant Park Tavern
The sale of liquor by the drink in conjunction with a tavern,
restaurant and video gaming terminals in a C-3, General Commercial
Zoning District

The Applicant, Thomas McDonald, was present, and spoke on behalf of this application. Mr. McDonald explained that has two kids, a wife and has been a Fireman for Schaumburg for past 10 years. He has been in the bar and restaurant business since 2017 and currently owns Post Sports Bar and Grill in Winnebago. Mr. McDonald stated he saw Grant Park was for sale last October, talked to Bob the owner and agreed to a price but Bob passed away 5 days later. Mr. McDonald stated he is looking to get this opened, fixed up a little, and be the neighborhood bar. He stated they would be operating this location with the same business model as before.

Attorney Megan McNeill asked if you have had a chance to review the conditions 1-18 listed in the Staff report. Mr. McDonald answered yes. Attorney McNeill asked and you agree to the conditions. Mr. McDonald responded yes.

No objectors or interested parties were present.

Staff Recommendation is for Approval.

A **MOTION** was made by Jennifer Spencer to **APPROVE** the sale of liquor by the drink in conjunction with a tavern, restaurant and video gaming terminals in a C-3, General Commercial Zoning District. The motion was **SECONDED** by Kim Johnsen and **CARRIED** by a vote of 4-0.

Approval is based on the following conditions:

1. Must meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Code of Ordinances including Liquor Codes.
3. Submittal of a revised site plan that includes four (4) additional parking spaces for the residential units above the tavern and the removal of the parking spaces in the Right-of-Way along Kishwaukee Street
4. Submittal of a landscaping plan with plant species and sizes including grass terrace replacing the parking spaces in the right-of-way along Kishwaukee Street for Staff's review and approval.
5. The property shall be developed as per revised site and landscaping plans.
6. The sale of liquor by the drink shall be limited to Exhibit F, the interior floor plan approved by Staff.
7. The hours of operation will be limited to 10:00 A.M. to 2:00 A.M Sunday through Saturday.

8. Removal of the non-conforming free-standing sign and one of the three existing wall signs by July 1, 2022.
9. Any new freestanding sign shall be a landmark style sign in accordance with the Sign Ordinance.
10. The proposed use and facility shall be limited to six (6) video gaming terminals.
11. Window display signage is limited to 20% of window area.
12. The windows shall not be covered with bars or other devices that block the windows.
13. The tavern shall not have a cover charge, dance floor or any DJs.
14. The tavern shall not have any live entertainment.
15. The tavern shall not operate as a nightclub.
16. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
17. All outstanding general ordinance fines must be paid prior to the issuance of the license
18. All conditions must be met prior to establishment of use.

22-LTAB-008

Applicant
Ward 6

2315 Harrison Avenue

Keegan Poon/The Victory Tap, Inc. dba Victory Tap

The sale of liquor by the drink in conjunction with a bar, restaurant, tavern and video gaming terminals with outdoor seating in an I-1, Light Industrial Zoning District

The Applicant, Keegan Poon, was present. Mr. Poon stated he was a Madison native, would be moving here full time if approved, and saw in the Zoning Report that the outdoor seating was denied. He stated he is not here to protest that and thought in the future he would development that into nice outdoor seating area. Mr. Poon explained that he is 23 years old, has been in the restaurant business for 4 years because his dad had cancer and he dropped out of college to run the multiple restaurants throughout the Midwest but he enjoys the business.

Attorney Megan McNeill asked if you have had a chance to review the conditions 1-13 listed in the Staff report. Mr. Poon stated yes but wanted Staff to elaborate on condition 3 and what is needed from him to get this done.

Scott Capovilla stated he will need to get a site plan drawn preferably by a professional designer but he can work with Staff. Mr. Capovilla would like to see a redesign as it was supposed to be done a few years back but because of COVID, it was not done.

Attorney McNeill asked again if he agreed to the conditions 1-13. Mr. Poon answered yes.

Jennifer Spencer asked if he is purchasing the entire business or just a portion. Mr. Poon stated he has is purchasing the entire business

Dan Roszkowski asked if there is video gaming on-site. Mr. Poon answered yes.

No objectors were present. One interested party was present.

Alderman April Prunty stated she supports Keegan and his purchase of Victory Tap. She thinks it is great for the 6th Ward to see him and others bringing back that energy to older establishments in the community and she supports him.

Mr. Poon stated he appreciated April's support. He further stated the issue with Victory Tap is a lack of management. He is used to working 6-7 days a week and 12 hours a day. He believes the employees will only work as good as the manager.

Jennifer Spencer stated the board received an email from a business that has some concerns with past drug issues and other violent occurrences and wanted to know how Mr. Poon plans to address those issues.

Mr. Poon explained it is a lack of management and increasing security on the weekend will be beneficial.

A **MOTION** was made by Kim Johnsen to **APPROVE** the sale of liquor by the drink in conjunction with a bar, restaurant, tavern and video gaming terminals and **DENY** outdoor seating in an I-1, Light Industrial Zoning District. The motion was **SECONDED** by Jennifer Spencer and **CARRIED** by a vote of 4-0.

Approval is based on the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Code of Ordinances including Liquor Codes.
3. Submittal of a revised landscaping plan that includes perimeter landscaping along Harrison Avenue and 18th Street and interior landscaping with plant species and size for Staff review and approval.
4. The sale of liquor by the drink shall be limited to submitted Exhibit E.
5. The hours of operation will be limited to 10:00 A.M. to 2:00 A.M. Monday through Thursday, 7:00 A.M. to 2:00 A.M. Friday and Saturday and 7:00 A.M. to 12:00 A.M. (midnight) on Sunday.
6. Window display signage is limited to 20% of window area.
7. The windows shall not be covered with bars or other devices that block the windows.
8. The proposed use and facility shall be limited to six (6) video gaming terminals.
9. The bar, restaurant, tavern and video gaming terminals shall not have a cover charge, a dance floor or any DJs.
10. The bar, restaurant, tavern and video gaming terminals shall not operate as a nightclub.
11. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
12. All outstanding general ordinance fines must be paid prior to the issuance of the license.
13. All conditions must be met prior to establishment of use.

22-LTAB-009

Applicant
Ward 11

1203 7th Street

Sean Chinna/WIN Liquor, Inc. dba WIN Liquor

The sale of packaged liquor and the sale of tobacco products in conjunction with a liquor and convenience store in a C-2, Limited Commercial Zoning District

Attorney David Castegnaro and the Applicant, Sean Chinna, were present. Attorney Castegnaro spoke on behalf of the Applicant. Attorney Castegnaro stated the current business is Kwik Mart and the business owner is here and been in business for over 20 years. Attorney Castegnaro stated he was here last September with Sean for an application for Gasland, Inc. that he has been operating since November without any problems. Attorney Castegnaro stated Sean currently lives in Cherry Valley with his wife and two kids, has a gas station and liquor store that was opened up in 2013 in New Milford, has gas station and liquor operation in Oquawka, five other operations in Iowa and three other operations in Wisconsin.

Attorney Castegnaro stated they have a concern with Condition 3 about the submittal of a landscaping plan because they have a landlord to deal with and they do not know if the landlord will cooperate to get what needs to get done. Attorney Castegnaro stated this brings to Conditions 7 and 8 dealing with the removal of the roof sign, freestanding sign, and 2 of 4 walls sign, which we will do what we have to do to comply.

Attorney Castegnaro stated they would like to change the hours of operation for Thursday through Saturday until 2:00 AM and the two attendant requirement be required at 7:00 PM.

Kim Johnsen stated to be clear the only will tweak is to condition number 6, the hours of operation. Ms. Johnsen also questioned the two attendant requirement. Scott Capovilla stated it is not in the conditions but in the security plan they gave us.

Attorney Megan McNeill asked other than the change to the hours, which you are proposing a change to the Applicant has read and agreed to all conditions 1-16. Attorney Castegnaro answered yes but with respect to landscaping or anything like that and whether or not we will get cooperation from the landlord.

Jennifer Spencer asked what are the current hours. Attorney Castegnaro stated they are open to 2:00 AM 7 days a week.

Jennifer Spencer stated there are a lot of police calls, 213 to be exact, for the last 24 months so what are thoughts about that or how does the Applicant intend to improve that. Attorney Castegnaro explained that the calls have to be recorded as they are and we cannot respond to that but that is why he explained the Applicant's history and his business background.

No objectors were present. One interested party was present.

Alderman Tuffy Quinonez stated he has known the current owner and his wife a long time as they have been in business 21 years. He would like to help them in their retirement from the 11th Ward. Alderman Quinonez explained he would recommend the sale to Sean who has past business experience, bought a gas station on 11th Street and 18th Avenue, and has done an excellent job there the past 5 months. He said you can see the difference with no police calls, no one hanging out, and, as an alderman, he would recommend this sale.

Jennifer Spencer stated there have been a lot of police calls, many of which are after midnight and she understands Staff's concerns.

Kim Johnsen stated the Applicant is a business owner of other places who has a good representation and she imagines he will do a good job

Staff Recommendation is for an Approval.

A **MOTION** was made by Kim Johnsen to **APPROVE** the sale of packaged liquor and the sale of tobacco products in conjunction with a liquor and convenience store in a C-2, Limited Commercial Zoning District amending condition number 6 on the hours of operation. The motion was **SECONDED** by Jennifer Smith and **CARRIED** by a vote of 4-0.

Approval is based on the following conditions:

1. Meet all Applicable Building and Fire Codes.
2. Compliance with all City of Rockford Code of Ordinances including Liquor and Tobacco Codes.
3. Submittal of a landscaping plan that includes perimeter landscaping along 11th Avenue and 7th Street and interior landscaping with plant species and size for Staff review and approval.
4. Submittal of a Dumpster Enclosure Permit Application and dumpster detail of the trex board privacy fencing for Staff review and approval.
5. The sale of packaged liquor and tobacco products shall be limited to the interior site plan that was submitted Exhibit F.
6. The hours of operation and days will be 9:00 A.M. to 12:00 A.M. (midnight) Sunday through Wednesday and will be 9:00 A.M. to 2:00 A.M. Thursday through Saturday.
7. Removal of the non-conforming freestanding sign, non-conforming roof sign and two of the four wall signs.
8. The new freestanding sign shall be a landmark style sign in accordance with the Sign Ordinance replacing the existing freestanding sign.
9. Window display signage is limited to 20% of window area.
10. There shall be no single serving sales of beer or wine in volumes of 16 oz. or less.
11. The sale of rose tubes, airplane-sized bottles (50 ml (1.7 ounces) or less) and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.

12. The windows shall not be covered with bars or other devices that block the windows.
13. The sale of water pipes and "huka" or "hookah" pipes are prohibited
14. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
15. All outstanding general ordinance fines must be paid prior to the issuance of the license.
16. All conditions must be met prior to establishment of use.

22-LTAB-010

Applicant
Ward 8

3848 Broadway

Rihab Naji Ahmed Alquhaiti/City Max, Inc. dba City Max

The sale of tobacco products in conjunction with a tobacco store in a C-2, Limited Commercial Zoning District

The Applicant, Rihab Naji Ahmed Alquhaiti and Mustafa Abdall, were present. Mr. Abdall stated Rihab was a medical student in Ukraine but do to the Russian invasion she came back home three months ago. Ms. Ahmed Alquhaiti stated she wants to start a business to help her father. Mr. Abdall stated in our community selling tobacco by female is frowned upon but she will be the first female from our community to sell tobacco and other females from our community will feel free and comfortable to come to her to buy tobacco.

Attorney Megan McNeill asked if they had a chance to review conditions 1-16 from the Staff Report. Mr. Abdall stated yes she did. Attorney McNeill asked if they agreed to the conditions. Mr. Abdall answered yes she does.

No objectors or interested parties were present.

Staff Recommendation is for an Approval.

A **MOTION** was made by Jennifer Smith to **APPROVE** the sale of tobacco products in conjunction with a tobacco store in a C-2, Limited Commercial Zoning District. The motion was **SECONDED** by Jennifer Spencer and **CARRIED** by a vote of 4-0.

Approval is based on the following conditions:

1. Meet all Building and Fire Codes.
2. Compliance with all City of Rockford Code of Ordinances including Tobacco Codes.
3. The sale of tobacco products shall be limited to the interior site plan that was submitted Exhibit E.
4. The hours of operation and days will be 7:30 A.M. to 11:00 P.M., Sunday through Thursday and 7:30 A.M. to 12:00 A.M. (midnight), Friday and Saturday.
5. The sale of rose tubes, airplane-sized bottles (50ml (1.7 ounces) or less) and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
6. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
7. Window display signage is limited to 20% of window area.
8. There shall not be temporary exterior signage.
9. Removal of the bars that cover the windows. The windows shall not be covered with bars or other devices that block the windows.
10. The windows shall not be covered by a film.
11. Removal of rope lights around the window area.
12. Repair the dumpster enclosure under a permit.
13. Removal of the tree trunks along Broadway within the green area.
14. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
15. All outstanding general ordinance fines must be paid prior to the issuance of the license.
16. All conditions must be met prior to establishment of use.

22-LTAB-011

Applicant

Ward 12

3207 North Main Street

Jill Bosselman/Austin W. Bosselman/Jordan L. Bosselman/Whiskey's Roadhouse, Inc. dba Whiskey's Roadhouse

A Modification of an existing liquor license to add two officers for a liquor license by the drink in conjunction with a bar and grill and video gaming terminals and a **Modification to an existing liquor license** to add an outdoor beer garden in a C-2, Limited Commercial Zoning District

The Applicant, Jill Bosselman, was present. Ms. Bosselman stated she is here to get the liquor license changed to take her sister off and add her two sons and to add an outdoor seating area. Ms. Bosselman stated in the report that there have been calls of loud music but, when you look at the police calls, there are no police calls for loud music.

Ms. Bosselman stated condition #8 live music will be indoors and she does not have a problem with that but questions the condition for no speakers projecting music shall be located outside you cannot even hear the music over the street traffic. She stated the noise ordinance is 10:00 PM and that is when the outdoor seating area is closed, so that will take care of that. Ms. Bosselman explained that condition 9 that you want me add a solid base to the freestanding sign but I must have gotten the short end of stick when they did the curbs and interior of the parking lot and they approved it like this when they lowered the sign and moved it.

Scott Capovilla stated they city is very aware of this sign. Ms. Bosselman stated it had to be set back that far for code and it was placed appropriately.

Jennifer Spencer asked if Staff just wants a face put on it. Mr. Capovilla stated that when the permit was submitted it was supposed to have a base at that time but it was never installed per the permit. Mr. Capovilla stated there are alternatives that Ms. Bosselman could pursue with us that we would allow.

Ms. Spencer asked if the outdoor seating is already there. Ms. Bosselman stated we have outdoor seating for the last 2 years for COVID. Ms. Spencer stated so nothing official and what we see in the picture was for COVID purposes. Ms. Bosselman state the outdoor seating in the front was for COVID but the outdoor seating in back has been there since they have been there. They use that area for a smoking area.

Attorney McNeill stated other than comments you made about conditions 8 and 9, have you have reviewed all conditions 1-15 and agree to those conditions. Ms. Bosselman stated yes.

Kim Johnsen asked if they currently have speakers projecting the live music outside. Ms. Bosselman stated it is jukebox music so that people who want to go out can listen to music but do not want to go inside. Ms. Johnsen stated this condition was implying live music indoors not having amplification to be heard outside. Ms. Bosselman stated thanks for the clarification.

No objectors or interested parties were present.

Staff recommendation is for approval.

A **MOTION** was made by Jennifer Spencer to **APPROVE** the Modification of an existing liquor license to add two officers for a liquor license by the drink in conjunction with a bar and grill and video gaming terminals and **APPROVE** the Modification to an existing liquor license to add an outdoor beer garden in a C-2, Limited Commercial District. The motion was **SECONDED** by Kim Johnsen and **CARRIED** by a vote of 4-0.

Approval is based on the following conditions:

1. Meet all Applicable Building and Fire Codes.
2. Compliance with all City of Rockford Code of Ordinances including Liquor Codes.
3. Window display signage is limited to 20% of window area.
4. The windows shall not be covered with bars or other devices that block the windows.
5. The sale of alcohol by the drink be in conjunction with a bar, grill and video gaming terminals with an outdoor beer garden per Exhibit F.
6. Hours of operation are Monday through Saturday 6:00 a.m. to 2:00 a.m., Sunday 9:00 a.m. to 2:00 a.m., and the kitchen closing at 10:00 p.m.
7. The outdoor beer garden must close by 10:00 p.m.
8. All live music be indoors with no amplification and no speakers projecting music shall be located outside.
9. Must install a solid base to the freestanding sign under a sign permit by July 1, 2022.
10. The proposed use and facility shall be limited to six (6) video gaming terminals.
11. Must install a site obscuring dumpster enclosure under a permit.
12. Removal of all temporary signage.
13. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
14. All outstanding general ordinance fines must be paid prior to the issuance of the license.
15. All conditions must be met prior to establishment of use.

22-LTAB-012

Applicant
Ward 6

2635 11th Street

Sufian Alqadhi/Nice Price Convenience, Inc. dba Nice Price Convenience
The sale of tobacco products in conjunction with a convenience store
in a C-3, General Commercial Zoning District

Muhammed Alqadhi, was present for the Applicant, Sufian Alqadhi. Mr. Alqadhi stated he is the father of the Applicant and is here for my son who is the owner of 2635 11th Street. His son dreamed of getting his own business and thank God we got it. Mr. Alqadhi stated he was just hoping to get the license for the tobacco and hopes everything is okay.

Kim Johnsen asked the presenter what is his name and what is your relationship to the Applicant. Mr. Alqadhi stated I am the father.

Jennifer Spencer asked how long has your son owned the business. Mr. Alqadhi stated since November, so 5 or 6 months.

Attorney Megan McNeill asked if Mr. Alqadhi if he and his son had a chance to review conditions 1-17 in the Staff recommendation. Mr. Alqadhi stated yes. Attorney McNeill asked if he agreed to those conditions. Mr. Alqadhi stated yes we do.

No objectors or interested parties were present.

Staff recommendation is for approval.

A **MOTION** was made by Jennifer Smith to **APPROVE** the sale of tobacco products in conjunction with a convenience store in a C-3, General Commercial Zoning. The motion was **SECONDED** by Jennifer Spencer and **CARRIED** by a vote of 4-0.

Approval is based on the following conditions:

1. Meet all Applicable Building and Fire Codes.
2. Compliance with all City of Rockford Code of Ordinances including Tobacco Codes.
3. Window display signage is limited to 20% of window area.

4. The windows shall not be covered with bars or other devices that block the windows.
5. The sale of tobacco products shall be limited Exhibit E.
6. Hours of operation are Sunday to Saturday 7:30 a.m. to 10:00 p.m.
7. Repairs to dumpster enclosure under permit.
8. Repair of window and removal of film and signage of windows along 11th Street.
9. Submittal of a landscaping plan for staff's review and approval.
10. Installation of landscaping by June 1, 2022.
11. Removal of outdoor storage of used tires and crates.
12. Must repair exterior rotted wood and peeling paint.
13. The sale of rose tubes, airplane-sized bottles (50ml (1.7 ounces) or less) and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited
14. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
15. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
16. All outstanding general ordinance fines must be paid prior to the issuance of the license.
17. Must meet all conditions prior to establishment of use.

With no further business to come before the Board, the meeting was adjourned at 6:51 PM.

Respectfully submitted,
Darius Morrow, Land Use Planner
Liquor and Tobacco Advisory Board